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REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 11 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit the letter of His Excellency Dr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, to Mr. Cornelio Sommaruga, President of the International Committee of the Red Cross (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 79, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX

Letter dated 10 November 1993 from the Prime Minister of the Federal Republic of Yugoslavia to the President of the International Committee of the Red Cross

Following the Geneva Treaty and the Budapest Agreement, the Yugoslav side has informed the International Committee of the Red Cross on several occasions of the lack of interest on the part of the Republic of Croatia in initiating and carrying out a POW exchange, search for missing persons, exhumation of human remains and in other humanitarian issues. We have requested the distinguished organization of ICRC to help us find solutions and influence the Republic of Croatia to address itself responsibly to the quest for solutions to these humanitarian issues. Unfortunately, there has been no evidence yet of Croatia's readiness and resolve to solve the humanitarian issues between the Federal Republic of Yugoslavia and the Republic of Croatia.

For those reasons the situation in this regard is now very difficult. Despite immense efforts made by our side, we have not been able to make any progress with the Republic of Croatia in the last 15 months.

The Republic of Croatia continues to refuse to fulfil its commitments under the Geneva Treaty and the Budapest Agreement of 7 August 1992, providing for a comprehensive POW exchange. It stubbornly refuses to:

(a) Provide information to the Federal Republic of Yugoslavia about 50 Yugoslav soldiers taken prisoner in the territory of Croatia who had a POW status and of whom every trace was subsequently lost. We fear that they may have experienced the fate that befell 220 of their colleagues who died in camps and prisons of the Republic of Croatia;

(b) Analyse and provide individual explanations for each person from the search list of the combatants of the former Yugoslav People's Army and the Territorial Defence from Serbian Krajinas in the former Socialist Republic of Croatia participating in armed conflicts in Croatia, who disappeared, were taken prisoner, were killed, died, crossed to the Croatian side or experienced a different fate. The list of those persons contains 1,000 names with all essential identification data;

(c) Make a comprehensive list of the remaining combatants and citizens of the Federal Republic of Yugoslavia taken prisoner whom it holds captive even after the Geneva Treaty and the Budapest Agreement. Unfortunately, the Croatian authorities keep those persons away from the eyes of ICRC so that they are not protected at all. The Yugoslav side is often informed of their names in an indirect way. Under the Geneva Treaty and the Budapest Agreement, those POWs should haver been set free long ago;

(d) Set free immediately, or collect and forward to the Yugoslav side the data on the pilot of the Yugoslav Air Force, Captain Slobodan Medić, whom the authorities of the Republic of Croatia did not bring for POW exchange after the signing of the Geneva Treaty and the Budapest Agreement.

Following the POW exchange under the said Treaty and Agreement, 11 Croatian commandos still remain in the territory of the Federal Republic of Yugoslavia. They were caught and sentenced for carrying out terrorist attacks in the territory of the Federal Republic of Yugoslavia, which was not and is not at war with the Republic of Croatia. These terrorists were given POW status by ICRC despite the repeated objections of the Yugoslav side that they were not POWs, but terrorists who had infiltrated the territory of the Federal Republic of Yugoslavia, which was confirmed also by the legally valid sentence of a competent court. Even though the Yugoslav side had not agreed that those terrorists have POW status, it has tried for more than 15 months to exchange them under the proviso that its interests be satisfied as well.

Similarly, the Croatian side accuses the Federal Republic of Yugoslavia unjustly for the fate of many other POWs and 1,300 of its disappeared civilians and combatants, although search requests for 649 missing persons have been submitted under an agreement with the Croatian side and the ICRC under Geneva Conventions procedures, out of which 300 requests have been solved.

At the same time the Croatian side hides from the world that it expelled over 250,000 (according to the data of the Secretary-General of the United Nations) and over 300,000 (according to our data) Serbs from the territory of the former Socialist Republic of Croatia in the ethnic cleansing campaign.

You will recall that the Federal Republic of Yugoslavia proposed to the Croatian side that a tripartite commission be set up (the third member would be ICRC) which, for the purpose of establishing confidence between the two countries would tour all places in Yugoslavia where, as alleged in a Croatian anti-Yugoslav campaign, are hidden POWs and disappeared persons. We also proposed that the results of the work of this commission be published. So far we have not requested that the commission undertake the same assignment on the Croatian side.

Although this proposal has been submitted and resubmitted for more than a year and a half, there has been no response from the Croatian side. It seems that it is much more important for Croatia to spread lies about Yugoslavia than to heal the wounds of war and to get to know the real truth about its POWs and disappeared civilians. In this way, it avoids telling its people openly the real price of the war it has provoked and it is still waging against the Serb people.

Furthermore, Croatia refuses to carry out the agreement reached between the Presidents of the Federal Republic of Yugoslavia and the Republic of Croatia in October 1992, relating to the exchange of data on persons who committed war crimes and the obligation that those persons be tried in a court of law in countries of which they are nationals. Instead, Croatia has promoted some of the war criminals exchanged in the POW exchange, so that many of them now have higher ranks in the Croatian Army or occupy higher positions in the Government of Croatia.

The occasion and duty enjoin me to plead with you to use your authority and influence with the Republic of Croatia so that, after 15 months, it too begins to fulfil its international commitments without delay. In this context, your engagement in creating the necessary preconditions for the organization of a

meeting between delegations of the Federal Republic of Yugoslavia and the Republic of Croatia at Geneva, under the auspices of the International Committee of the Red Cross, would be very useful indeed. On our part, there is no impediment, whatsoever, to having such a meeting result in an agreement between two sides on the exchange of remaining POWs under the Geneva Treaty and the Budapest Agreement, and to find out and identify solutions also for other humanitarian issues, primarily those relating to the search for missing persons.

(Signed) Dr. Radoje KONTIC